

ORIGINAL

LAW OFFICES
Messer, Caparello & Self
A Professional Association

Post Office Box 1876
Tallahassee, Florida 32302-1876
Internet: www.lawfla.com

RECEIVED - FPSC
01 JAN 23 PM 4:31
COMMISSION
CLERK

January 23, 2004

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 030851-TP

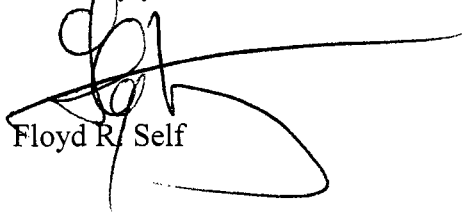
Dear Ms. Bayó:

Enclosed for filing on behalf of MCI metro Access Transmission Services, LLC and MCI WorldCom Communications, Inc. ("MCI"), are an original and fifteen copies of MCI's Preliminary Objections to the Staff of the Florida Public Service Commission's ("Staff") Fourth Set of Interrogatories (Nos. 31-64), as well as MCI's Preliminary Objections to Staff's Third Request for Production of Documents (No. 10-15) in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,



Floyd R. Self

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC I
- OTH _____

FRS/amb
Enclosures

cc: Parties of Record

DOCUMENT NUMBER-DATE

01080 JAN 23 04

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Implementation of Requirements)	
Arising From Federal Communications)	Docket No.: 030851-TP
Commission Triennial UNE Review:)	
Local Circuit Switching for Mass)	Filed: January 23, 2004
Market Customers)	
)	

**MCI's PRELIMINARY OBJECTIONS TO
STAFF'S FOURTH SET OF INTERROGATORIES (Nos. 31-64)**

MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc. (hereinafter "MCI"), pursuant to the *Order Establishing Procedure*, Order No. PSC-03-1054-PCO-TP, issued September 22, 2003 (hereinafter "*Procedural Order*") by the Florida Public Service Commission ("Commission"), Rule 28-106.206 of the Florida Administrative Code, and Rules 1.280 and 1.340 of the Florida Rules of Civil Procedure, hereby generally and specifically objects to Public Service Commission Staff (hereinafter "Staff") Fourth Set of Interrogatories (Nos. 31-64) to MCI, served on January 16, 2004. As indicated, MCI notes that the Staff separately served MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc., but MCI shall object and respond to these separate discovery requests on a combined basis unless directed otherwise.

A. General Objections

MCI makes the following General Objections to Staff's Fourth Set of Interrogatories, including the applicable definitions and general instructions contained therein.

1. MCI objects to the Staff discovery to the extent that such discovery seeks to impose an obligation on MCI to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such discovery is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. MCI further objects to any and all Staff

discovery that seeks to obtain information from MCI for MCI subsidiaries, affiliates, or other related MCI entities that are not certificated by the Commission.

2. MCI has interpreted the Staff discovery to apply to MCI's regulated intrastate operations in Florida and will limit its responses accordingly. To the extent that any Staff discovery is intended to apply to matters that take place outside the state of Florida and which are not related to Florida intrastate operations subject to the jurisdiction of the Commission, MCI objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

3. MCI objects to the Staff discovery to the extent that such discovery calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. MCI objects to the Staff discovery insofar as such discovery is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Any responses provided by MCI in response to the Staff discovery will be provided subject to, and without waiver of, the foregoing objection.

5. MCI objects to the Staff discovery insofar as such discovery is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action.

6. MCI objects to the Staff discovery insofar as it seeks information or documents, or seek to impose obligations on MCI which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

7. MCI objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission or which is already in the

possession, custody, or control of Staff.

8. MCI objects to the Staff discovery to the extent that such discovery is overly broad, unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. MCI objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that Staff's requests seek proprietary confidential business information which is not the subject of the "trade secrets" privilege, MCI will make such information available to the Staff pursuant to the terms of the Commission's Protective Order and the requirements of section 364.183 and Florida Administrative Code Rule 25-24.006, subject to any other general or specific objections contained herein.

10. MCI is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, MCI creates countless documents that are not subject to Florida Public Service Commission or FCC retention of records requirements. These documents are kept in numerous locations and are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document has been identified in response to these requests. MCI will conduct a reasonable and diligent search of those files that are reasonably expected to contain the requested information. To the extent that the Staff discovery purports to require more, MCI objects on the grounds that compliance would impose an undue burden or expense.

11. MCI objects to the Staff discovery that seeks to obtain "all," "each," or "every" document, item, customer, or other such piece of information to the extent that such discovery is overly broad and unduly burdensome. Any answers that MCI may provide in response to the Staff discovery will be provided subject to, and without waiver or, this objection.

12. MCI objects to the Staff discovery to the extent such discovery seeks to have MCI create documents not in existence at the time of the request.

13. MCI objects to the Staff discovery to the extent that such discovery is not limited to any stated period of time or a stated period of time that is longer than is relevant for purposes of the issues in this docket, as such discovery is overly broad and unduly burdensome.

14. In light of the short period of time MCI has been afforded to respond to the Staff discovery, the development of MCI's positions and potentially responsive information to the Staff requests is necessarily ongoing and continuing. Accordingly, MCI reserves the right to supplement, revise, or modify its objections and responses to Staff discovery. However, MCI does not assume an affirmative obligation to supplement its answers on an ongoing basis.

B. Specific Objection

MCI makes the following Specific Objection to Staff's Fourth Set of Interrogatories, including the applicable definitions and general instructions contained therein.

15. MCI objects to each and every interrogatory or request for production that seeks information regarding MCI's projections regarding future services, revenues, marketing strategies, equipment deployments, or other such future business plans as such requests are trade secrets and, for purposes of this proceeding, would be highly speculative and irrelevant to the issues to be decided in this docket.

Respectfully submitted this 23rd day of January, 2004.



Floyd Self, Esq.
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
Tallahassee, FL 32302
(850) 222-0720

Donna McNulty, Esq.
MCI
1203 Governors Square Blvd, Suite 201
Tallahassee, FL 32301-2960

De O'Roark, Esq.
MCI
6 Concourse Parkway, Suite 3200
Atlanta, GA 30328

Attorneys for MCImetro Access
Transmission Services, LLC and MCI
WorldCom Communications, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Hand Delivery (*), electronic mail, and/or U. S. Mail this 23rd day of January, 2004.

Jeremy Susac, Esq.*
Office of General Counsel, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Jason Rojas, Esq.*
Office of General Counsel, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Nancy B. White
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, FL 32301

Susan S. Masterton, Esq.
Sprint-Florida, Incorporated
Sprint Communications Company Limited
Partnership
P.O. Box 2214
Tallahassee, FL 32316-2214

Richard A. Chapkis, Esq.
Verizon Florida Inc.
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110

Nanette Edwards
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802

Mr. James White
ALLTEL
601 Riverside Avenue
Jacksonville FL 32204-2987

Ms. Laurie A. Maffett
Frontier Telephone Group
180 South Clinton Avenue
Rochester NY 14646-0700

Mr. R. Mark Ellmer
GT Com
P. O. Box 220
Port St. Joe FL 32457-0220

Mr. Robert M. Post, Jr.
ITS Telecommunications Systems, Inc.
P. O. Box 277
Indiantown FL 34956-0277

Ms. Harriet Eudy
NEFCOM
11791 110th Street
Live Oak FL 32060-6703

Ms. Lynn B. Hall
Smart City Telecom
P. O. Box 22555
Lake Buena Vista FL 32830-2555

Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel
Florida Cable Telecommunications Assoc.,
Inc.
246 E. 6th Avenue
Tallahassee, FL 32301

Tracy W. Hatch, Esq.
AT&T Communications Southern
States, LLC
101 N. Monroe Street, Suite 701
Tallahassee, FL 32301

Lisa Sapper
AT&T
1200 Peachtree Street, NE, Suite 8100
Atlanta, GA 30309

Donna McNulty, Esq.
WorldCom
1203 Governors Square Blvd, Suite 201
Tallahassee, FL 32301-2960

De O'Roark, Esq.
MCI WorldCom Communications, Inc.
6 Concourse Parkway, Suite 600
Atlanta, GA 30328

Vicki Kaufman, Esq.
Joe McGlothlin, Esq.
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 S. Gadsden Street
Tallahassee, FL. 32301

Marva Brown Johnson, Esq.
KMC Telecom III, LLC
1755 North Brown Road
Lawrenceville, GA 30034-8119.

Charles V. Gerkin, Jr.
Regulatory Counsel
Allegiance Telecom, Inc.
9201 North Central Expressway
Dallas, TX 75231

Terry Larkin
Allegiance Telecom, Inc.
Regional Vice President
700 East Butterfield Road
Lombard, IL 60148

James C. Falvey, Esq.
Senior Vice president, Regulatory Affairs
Xspedius Communications, LLC
7125 Columbia Gateway Drive, Suite 200
Columbia, MD 21046

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
P.O. Box 1876
Tallahassee, FL 32302-1876

Mr. Jake E. Jennings
NewSouth Communications Corp.
Two N. Main Center
Greenville, SC 29601

Jon C. Moyle, Jr., Esq.
Moyle, Flanigan, Katz, Raymond &
Sheehan, P.A.
118 North Gadsden Street
Tallahassee, FL 32301

Charles E. Watkins
Covad Communications Company
1230 Peachtree Street, NE, 19th Floor
Atlanta, GA 30309

Rand Currier
Granite Telecommunications, LLC
234 Copeland Street
Quincy, MA 02169

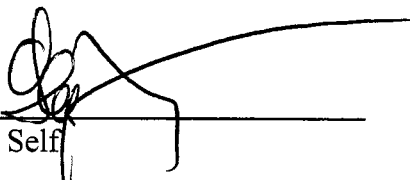
Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335

Jorge Cruz-Bustillo, Esq.
Supra Telecommunications and
Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, Florida 33133

Mr. Jonathan Audu
Supra Telecommunications and
Information Systems, Inc.
1311 Executive Center Drive, Suite 220
Tallahassee, FL 32301

Thomas M. Koutsky
Vice president, Law and Public Policy
Z-Tel Communications, Inc.
1200 19th Street, N.W., Suite 500
Washington, DC 20036

Charles Beck
Office of the Public Counsel
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400



Floyd R. Self

H:\users\TICO\MCI\MCI Responses\2004-01-23, MCI resp and objec. to
Staff 4 Interrog, 030851-TP.wpd